

**ANNUAL REPORT  
OF THE  
INTERIM STUDY COMMITTEE ON  
DRIVER EDUCATION**



**Indiana Legislative Services Agency  
200 W. Washington Street, Suite 301  
Indianapolis, Indiana 46204**

**November, 2010**

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# **INTERIM STUDY COMMITTEE ON DRIVER EDUCATION**

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### **Staff**

Susan Montgomery  
Attorney for the Committee

James Sperlik  
Fiscal Analyst for the Committee

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Committee can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.

## **I. LEGISLATIVE COUNCIL DIRECTIVE**

P.L.101-2009 (SEA 16-2009) established the Interim Study Committee on Driver Education. The Committee was directed to study the following:

- (1) the administration of driver education by the Bureau of Motor Vehicles and the Department of Education;
- (2) standards for an Internet component of driver instruction;
- (3) standards for a classroom component of driver instruction;
- (4) penalties for instructional providers that fail to follow the standards for instruction driving experience;
- (5) statistics for moving violations accrued by individuals less than eighteen (18) years of age who had:
  - (A) taken driver education with a classroom component of driver instruction;
  - (B) taken an Internet component of driver instruction; and
  - (C) no formal driver education;
- (6) the effectiveness of driver education courses on the accident rates of young drivers; and
- (7) the standards and curriculum content for an effective driver education program.

## **II. SUMMARY OF CURRENT LAW AND ADMINISTRATIVE RULES**

The Indiana Code (IC 5-2-6.5) places the responsibility for commercial driver training schools with the Indiana Criminal Justice Institute (ICJI). The administrative rules pertaining to the ICJI's oversight are found at 205 IAC 3-1.

The responsibility for the establishment and maintenance of minimum standards for driver education programs and equipment in the public schools by the Indiana State Board of Education is set forth in IC 20-19-2-8(a)(4), and the corresponding administrative rules concerning instruction in driver education classes are found at 511 IAC 6-6. Approved high school course offerings which include multidisciplinary courses are found at 511 IAC 6.1-5.1-1.

IC 9-24-10-4 sets forth the items that are necessary for the granting of a learner's permit by the Bureau of Motor Vehicles (BMV). The administrative rules regarding the BMV's regulation of high school driver education programs are found in 140 IAC 4-4.

IC 20-28-2-6(a)(1) authorizes the Advisory Board of the Division of Professional Standards to adopt rules to set standards for teacher licensing. Pursuant to that authority, 515 IAC 8-1-18 relates to driver and traffic safety education endorsements of teachers in the public schools.

## **III. SUMMARY OF WORK PROGRAM**

The Committee met three times, on August 19, September 8, and October 25, 2010. The first and

third meetings took place in Room 233 of the Indiana State House, Indianapolis, Indiana. The second meeting took place in the Senate Chambers of the State House, Indianapolis, Indiana.

#### **IV. SUMMARY OF TESTIMONY**

On August 19 the Committee heard testimony from: (1) Michael LaRocco, Indiana Department of Education, concerning the IDOE's jurisdiction over public schools that offer driver education; (2) John Bodeker, Indiana Criminal Justice Institute, concerning the administrative oversight of commercial driver education schools; (3) Sarah Meyer, Indiana Bureau of Motor Vehicles, who furnished citation and accident statistics regarding drivers under age 18 who had, and had not, taken driver education; (4) Karen Burkhardt, Burkhardt's Driver Education, Inc. and President of the Indiana Driving Schools Association, on issues concerning her own commercial school and members of the association, including possible enactment of a driver education committee to oversee all driver education providers; and (5) Sherry Deane, American Automobile Association, (AAA) concerning standards for driver education providers and parental involvement as a part of the teen driver learning experience.

On September 8 the Committee heard testimony from: (1) Sherry Deane, (AAA) regarding the cost of driver education, both for the providers and the student, and as on August 19, the possible enactment of a driver education committee to oversee all driver education providers; (2) Matt Nagle, Indiana University Public Policy Institute, regarding analysis of driver education traffic statistics; and (3) Professor Stanley Henderson, Indiana State University, concerning driver education instruction, as provided to potential instructors and which is provided to novice drivers.

On October 25 the Committee discussed Preliminary Draft 3457. The Committee heard testimony from: (1) Anthony Emery urging the Committee to consider legislation to move the earliest date of application for a learner's permit back to age 15; (2) Karen Burkhardt (Burkhardt's Driver Education, Inc.), Tom Zachary (Drive Zone Driver Education), and Don Gross (AA Indiana Driving School) commending the Committee for its interest in driver education safety; and (3) Kyle Meek (Indiana All Star Driving School) concerning criminal history background checks for driver education instructors.

The Committee could not vote to approve Preliminary Draft 3457 or approve a Final Report as there was no quorum at the third meeting.

Minutes of the meetings and exhibits that are part of the record are available in further detail at <http://www.in.gov/legislative>.

#### **V. COMMITTEE FINDINGS AND RECOMMENDATIONS**

The Committee made no findings of fact.

The Committee made no recommendations.

## WITNESS LIST

Michael LaRocco, Indiana Department of Education  
John Bodeker, Indiana Criminal Justice Institute  
Sarah Meyer, Indiana Bureau of Motor Vehicles  
Karen Burkhardt, Burkhardt's Driver Education, Inc.  
Sherry Deane, American Automotive Association (AAA)  
Professor Stanley Henderson, Indiana State University  
Matt Nagle, Indiana University Public Policy Institute  
Anthony Emery  
Tom Zachary, Drive Zone Driver Education  
Don Gross, AA Indiana Driving School  
Kyle Meek, Indiana All Star Driving School